

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

IN RE:)	09-10332/Chapter 11 Proceeding
)	
THE HAMMOCKS, LLC d/b/a)	MOTION TO AMEND SCHEDULE B
Richmond Hill Inn,,)	
)	
Debtor.)	

The debtor/debtor-in-possession moves the Court, alleges and says:

- 1. The debtor filed voluntary Chapter 11 on March 25, 2009.**
- 2. Prior to the filing, on March 19, 2009, the debtor suffered a fire loss.**
- 3. The debtor listed the fire loss on the Statement of Financial Affairs, Question 8, Losses, with some presumption that the insurance company would dutifully pay the claim.**
- 4. The debtor initially saw no need to list a claim on Schedule B and filed its proof of loss with the insurance company (Harleysville Mutual Insurance Company) on May 29, 2009.**
- 5. Since the filing, and after attempting to deal with the insurance company for ten (10) months without any resolution, it now seems appropriate to amend Schedule B and add to B-21 the estate's claim against the insurance company, Harleysville Mutual Insurance company, as it is now represented by the adversary proceeding filed by the Chapter 11 Estate/debtor-in-possession against the insurance company in this proceeding.**
- 6. Attached to this motion as filed with the Court is Amended Schedule B showing the approximately \$7 million claim against the insurance company, Harleysville Mutual Insurance Company, under B-21 (copy of Amended Schedule B is available to any party-in-interest upon request to the undersigned).**
- 7. It is appropriate to allow this amendment showing the claim as of the filing date.**

THEREFORE, the debtor/debtor-in-possession moves the Court for an order as follows:

- 1. To allow the debtor/debtor-in-possession to amend Schedule B to reflect the potential claim indicated on the Statement of Financial Affairs, paragraph 8, that has now developed into a full-fledged claim to be listed on Schedule B, paragraph 21.**
- 2. For such further relief deemed proper by the Court.**

This the 21st day of January, 2009.

A handwritten signature in black ink, appearing to read "David G. Gray", is written over a horizontal line.

**David G. Gray, Attorney for Debtor/D.I.P.
N. C. State Bar No. 1733**

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B6B (Official Form 6B) (12/07)

In re The Hammocks, LLC

Case No. 09-10332

Debtor

(If known)

AMENDED - SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1 Cash on hand		Funds generally on hand at front desk, gift shop, grille, petty cash and change bank		2,150.00
2 Checking savings or other financial accounts certificates of deposit, or shares in banks, savings and loan thrift building and loan, and homestead associations, or credit unions brokerage houses, or cooperatives.		Funds on deposit with Carolina First - balances vary daily/weekly		15,500.00
3 Security deposits with public utilities, telephone companies landlords and others.		Deposits with Progress Energy and PSNC		20,000.00
4 Household goods and furnishings, including audio video and computer equipment.		oriental rugs		25,000.00
5 Books, pictures and other art objects antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		GAB Pearson - portrait		amt. unk.
6 Wearing apparel.		Uniforms		1,500.00
7 Furs and jewelry.	X			
8 Firearms and sports, photographic and other hobby equipment.	X			
9 Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10 Annuities Itemize and name each issuer.	X			
11 Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12 Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans Give particulars.	X			
13 Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14 Interests in partnerships or joint ventures Itemize.	X			
15 Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16. Accounts receivable.		Amts. due from guests in house		769.01
Accounts receivable.		Richmond Hill Inn, Inc.		133,112.09
17 Alimony maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			

B6B (Official Form 6B) (12/07) -- Cont.

In re The Hammocks, LLC

Case No. 09-10332

Debtor

(If known)

AMENDED - SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
18 Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19 Equitable or future interests, life estates and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20 Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21 Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Claim against Harleysville Mutual Insurance Company for fire loss of 3/19/09		7,000,000.00
Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Claim for employee dishonesty; claim filed with Travelers		Amt. unk.
22 Patents, copyrights, and other intellectual property. Give particulars.	X			
23 Licenses, franchises, and other general intangibles. Give particulars.	X			
24 Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal family or household purposes.	X			
25 Automobiles, trucks, trailers and other vehicles and accessories.		2000 Chevrolet truck		11,000.00
26 Boats, motors, and accessories.	X			
27 Aircraft and accessories.	X			
28 Office equipment, furnishings and supplies.		Office equipment, etc.		176,250.00
29 Machinery, fixtures, equipment and supplies used in business.		Fixtures, equipment and supplies		1,636,062.00
30 Inventory.		wine, food, etc.		55,000.00
31 Animals.	X			
32 Crops - growing or harvested. Give particulars.	X			
33 Farming equipment and implements.		Tractor		20,000.00
34 Farm supplies, chemicals, and feed.		lawn chemicals		300.00
35 Other personal property of any kind not already listed. Itemize.		Credit balance w/ Staples Credit Plan		17.61
Other personal property of any kind not already listed. Itemize.		Credit balance w/Blue Cross/Blue Shield		13,969.92

B6B (Official Form 6B) (12/07) -- Cont.

In re The Hammocks, LLC

Debtor

Case No. 09-10332

(If known)

AMENDED - SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
35 Other personal property of any kind not already listed. Itemize.		Credit balance w/Craft-Tex/Ladybug		52.30
Other personal property of any kind not already listed. Itemize.		Credit balance w/Pitney Purchase Power		24.86
<u>2</u> continuation sheets attached				Total > \$9,110,707.79

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules)

B6 Summary (Official Form 6 - Summary) (12/07)

**United States Bankruptcy Court
Western District of North Carolina**

In re The Hammocks, LLC
Debtor

Case No 09-10332

Chapter 11

AMENDED - SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7 11 or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 14,300,000.00		
B - Personal Property	YES	3	\$ 9,110,707.79		
C - Property Claimed as Exempt	NO				
D - Creditors Holding Secured Claims	YES	1		\$ 6,991,316.70	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	YES	9		\$ 810,355.26	
F - Creditors Holding Unsecured Nonpriority Claims	YES	6		\$ 112,559.79	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	NO	0			\$
J - Current Expenditures of Individual Debtor(s)	NO	0			\$
TOTAL		22	\$ 23,410,707.79	\$ 7,914,231.75	

Form 6 - Statistical Summary (12/07)

**United States Bankruptcy Court
Western District of North Carolina**

In re The Hammocks, LLC

Debtor

Case No. 09-10332

Chapter 11

AMENDED - STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$ 0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ 757,773.08
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$ 0.00
Student Loan Obligations (from Schedule F)	\$ 0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$ 0.00
Obligations to Pension or Profit-Sharing and Other Similar Obligations (from Schedule F)	\$ 0.00
TOTAL	\$ 757,773.08

State the following:

Average Income (from Schedule I, Line 16)	\$ 0.00
Average Expenses (from Schedule J, Line 18)	\$ 0.00
Current Monthly Income (from Form 22A Line 12; OR Form 22B Line 11; OR, Form 22C Line 20)	\$ 0.00

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 0.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 810,355.26	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ 0.00
4. Total from Schedule F		\$ 112,559.79
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ 112,559.79

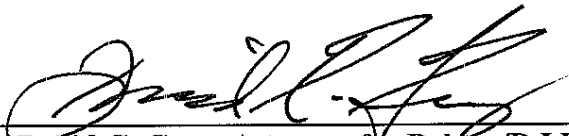
**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

IN RE:)	09-10332/Chapter 11 Proceeding
)	
THE HAMMOCKS, LLC d/b/a)	NOTICE OF HEARING
Richmond Hill Inn,,)	
)	
Debtor.)	

TAKE NOTICE that the debtor has filed motion to file an amendment to Schedule B of the Chapter 11 proceeding; a copy of said motion accompanies this notice.

TAKE FURTHER NOTICE that hearing on said motion will be held on February 17, 2010 at 9:30 a.m. or thereafter as reached for hearing before the Bankruptcy Judge Presiding in the first floor courtroom, U. S. Courthouse, 100 Otis Street, Asheville, NC 28801.

This 21st day of January, 2010.



David G. Gray, Attorney for Debtor/D.I.P.
N. C. State Bar No. 1733

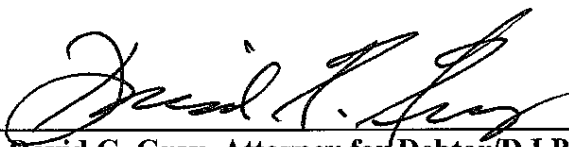
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

IN RE:)	09-10332/Chapter 11 Proceeding
)	
THE HAMMOCKS, LLC d/b/a)	CERTIFICATE OF SERVICE
Richmond Hill Inn,,)	
)	
Debtor.)	

The undersigned certifies that copy of notice of hearing with copy of motion to amend Schedule B has been served on each party listed on the attached mailing matrix, said service being by first class mail in a properly addressed envelope with adequate postage affixed.

This 21st day of January, 2010.



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Label Matrix for local noticing
0419-1
Case 09-10332
Western District of North Carolina
Asheville
Wed Jan 20 16:26:30 EST 2010

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Asheville, NC 28801-2402

Yellow Jacket Publishing DBA A Look at Asheville
29 Montford Avenue, Suite 200
Asheville, NC 28801-2529

Brady Allen Yntema
Pinto Coates Kyre & Brown, PLLC
P O Box 4848
Greensboro, NC 27404-4848

floyd putney
618 west richardson avenue
summerville, SC 29483-6032

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4)

Internal Revenue Service
P.O Box 21126
Philadelphia, PA 19114

(d)Internal Revenue Service
PO Box 21126
Philadelphia PA 19114

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)CAROLINA FIRST BANK

(u)George R. Hodges

(u)Richmond Hill, Inc.

End of Label Matrix
Mailable recipients 152
Bypassed recipients 3
Total 155